1 2 3 4 5 IN THE UNITED STATES DISTRICT COURT 6 FOR THE EASTERN DISTRICT OF WASHINGTON 7 JEREMY OLSEN, 8 No. 2:21-CV-326-SMJ 9 Plaintiff, PROOF OF SERVICE 10 ٧. 11 XAVIER BECERRA, in his official capacity as Secretary of the United 12 States Department of Health and 13 Human Services, 14 Defendant. 15 PROOF OF SERVICE 16 17 In compliance with Federal Rule of Civil Procedure 4(1)(1), Plaintiff 18 hereby files the Affidavit of Service by Mail providing proof of service on Xavier 19 Becerra, in his capacity as Secretary of the United States Department of Health 20 and Human Services, by serving the United States Attorney General on 21 November 29, 2021, the Department of Health and Human Services on 22 November 24, 2021, and the United States Attorney General on 23 November 26, 2021, attached as Exhibit A. 24 25 26 27

1	Dated: January 12, 2022
2	
3	Respectfully submitted,
4	<u>/s/ Roger M. Townsend</u> Washington State Bar No. 25525
5	/s/ Roger M. Townsend Washington State Bar No. 25525 BRESKIN, JOHNSON, TOWNSEND, PLLC 1000 Second Ave, Suite 3670
6	Seattle WA 98104
7	Telephone: (206) 518-6200 Facsimile: (206) RTownsend@bjtlegal.com
8	Attorney for Plaintiff
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# EXHIBIT A

1 2 3 4 5 IN THE UNITED STATES DISTRICT COURT 6 FOR THE EASTERN DISTRICT OF WASHINGTON 7 JEREMY OLSEN, 8 No. 2:21-CV-326-SMJ 9 Plaintiff, AFFIDAVIT OF SERVICE BY MAIL 10 ٧. 11 XAVIER BECERRA, in his official capacity as Secretary of the United 12 States Department of Health and 13 Human Services, 14 Defendant 15 16 AFFIDAVIT OF SERVICE BY MAIL 17 On November 19, 2021, I, Jesica McClure, Paralegal at Breskin, 18 Johnson, Townsend, PLLC, mailed a true and correct copy of the Civil Cover 19 Sheet, Complaint, and Summons, related to the above-referenced case via 20 United State Postal Service as follows: 21 1. Certified Mail – Return Receipt (article no. 7019 1640 0000 6987 4143) 22 addressed to Xavier Becerra Secretary of US HHS, Vanessa Walderf, 23 United States Attorney, Eastern District of Washington, United States 24 Department of Justice, 920 W. Riverside Ave, Ste, 340, Spokane, WA 25 99201, delivered on November 29, 2021. A copy of the United States

Postal Service Tracking Status is attached as Exhibit 1;

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1	2. Certified Mail – Return Receipt (article no. 7019 1640 0000 6987 4167)
2	addressed to Xavier Becerra, Secretary of US HHS, United States
3	Department of Health and Human Services, 200 Independence Ave.
4	SW, Washington, DC 20201, delivered on November 24, 2021. A copy
5	of the United States Postal Service Tracking Status is attached as
6	Exhibit 2;
7	3. Certified Mail – Return Receipt (article no. 7019 1640 0000 6987 4150)
8	addressed to Xavier Becerra, Secretary, & the Honorable Merrick
9	Garland, United States Attorney General, Department of Justice, 950
10	Pennsylvania Ave. NW, Washington, DC 20530-0001, delivered on
11	November 26, 2021. A copy of the United States Postal Service
12	Tracking Status is attached as Exhibit 3;
13	I declare under penalty of perjury that the foregoing is true and correct.
14	
15	Executed on this 12th day of January, 2022 in Seattle, WA.
16	
17	<u>/s/ Jesica McClure</u> Jesica McClure, Paralegal
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# EXHIBIT 1

# **USPS Tracking®**

FAQs >

#### Track Another Package +

**Tracking Number:** 70191640000069874143

Remove X

Your item was picked up at the post office at 9:36 am on November 29, 2021 in SPOKANE, WA 99201.

## **⊘** Delivered, Individual Picked Up at Post Office

November 29, 2021 at 9:36 am SPOKANE, WA 99201 -eedbac

Get Updates V

#### **Text & Email Updates**

V

#### **Tracking History**



November 29, 2021, 9:36 am
Delivered, Individual Picked Up at Post Office
SPOKANE. WA 99201

Your item was picked up at the post office at 9:36 am on November 29, 2021 in SPOKANE, WA 99201.

November 24, 2021

In Transit to Next Facility

November 20, 2021, 11:39 pm
Departed USPS Regional Facility
SPOKANE WA DISTRIBUTION CENTER

November 20, 2021, 10:43 am
Arrived at USPS Regional Facility
SPOKANE WA DISTRIBUTION CENTER

November 20, 2021, 7:15 am
Departed USPS Regional Facility
SEATTLE WA DISTRIBUTION CENTER

November 19, 2021, 8:19 pm
Arrived at USPS Regional Facility
SEATTLE WA DISTRIBUTION CENTER

November 19, 2021, 5:09 pm Departed Post Office MOUNTLAKE TERRACE, WA 98043

November 19, 2021, 3:12 pm USPS in possession of item MOUNTLAKE TERRACE, WA 98043

**Product Information** 

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See Less ^

### Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

**FAQs** 

Case 2:21-cv-00326-SM	SENDER COMPLETE WAS RECTION 2 PRO	COMPLETE THIS SECTION ON DELIVERY
	<ul> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature    1 - Z   - Z     Agent   Addressee   Addressee    B. Received by (Printed Name)   C. Date of Delivery
	1. Article Addressed to:  Xavier Becerra, Secretary of U.S. H.H.S.  Vanessa Waldref United States Attorney, Eastern District of Washington United States Department of Justice 920 W. Riverside Ave, Ste. 340 Spokane, WA 99201	D. Is pure year delivery address below: Yes If YES, enter delivery address below:
	9590 9402 5317 9154 2558 30	3. Service Type
_	2. Article Number (Transfer from service label) ENTH 4869 0000 0697 6704	☐ Collect on Delivery Restricted Delivery  ad Mail  ad Mail Restricted Delivery  Bignature Confirmation  Signature Confirmation  Restricted Delivery  Restricted Delivery
	PS Form 3811, July 2015 PSN 7630-02-000-9053	\$500)  Domestic Return Receipt
		•.

# EXHIBIT 2

# **USPS Tracking®**

FAQs >

#### Track Another Package +

**Tracking Number:** 70191640000069874167

Remove X

Your item was delivered to the front desk, reception area, or mail room at 12:19 pm on November 24, 2021 in WASHINGTON, DC 20201.

## **⊘** Delivered, Front Desk/Reception/Mail Room

November 24, 2021 at 12:19 pm WASHINGTON, DC 20201

Feedbac

Get Updates V

#### **Text & Email Updates**

**V** 

#### **Tracking History**

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November 24, 2021, 12:19 pm
Delivered, Front Desk/Reception/Mail Room
WASHINGTON, DC 20201

Your item was delivered to the front desk, reception area, or mail room at 12:19 pm on November 24, 2021 in WASHINGTON, DC 20201.

November 24, 2021, 8:58 am Arrived at Post Office WASHINGTON, DC 20018 November 23, 2021 In Transit to Next Facility

November 21, 2021, 5:05 am

Arrived at USPS Regional Destination Facility
WASHINGTON DC DISTRIBUTION CENTER

November 20, 2021, 7:15 am
Departed USPS Regional Facility
SEATTLE WA DISTRIBUTION CENTER

November 19, 2021, 8:19 pm Arrived at USPS Regional Origin Facility SEATTLE WA DISTRIBUTION CENTER

November 19, 2021, 5:09 pm Departed Post Office MOUNTLAKE TERRACE, WA 98043

November 19, 2021, 3:12 pm USPS in possession of item MOUNTLAKE TERRACE, WA 98043

**Product Information** 

See Less ^

### Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

**FAQs** 

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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON	DELIVERY
Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mallplece, or on the front if space permits.	A. Signatum  X. B. Harstved by Frinked Name)  B. G. H. D. Is delivery address differentiated	
Xavier Becerra, Secretary of U.S. H.H.S. Xavier Becerra, Secretary United States Department of Health and Human Services 200 Independence Ave, SW Washington, DC 20201	If YES, enter delivery address	below: No
9590 9402 5317 9154 2559 22	3. Service Type  Adult Signature Adult Signature Restricted Delivery Certified Mail® Certified Mail® Certified to Delivery Collect on Delivery	☐ Priority Mall Express® ☐ Registered Mall™ ☐ Registered Mall Restates Delivery ☐ Return Receipt 500 Merchandise
2. Article Number (Transfer from service label) 7019 1640 0000 6987 4167	Collect on Delivery Restricted Delivery Thesured Mail ared Mail Restricted Delivery	<ul> <li>Signature Confirmation</li> <li>Signature Confirmation</li> <li>Restricted Delivery</li> </ul>

Domestic Return Receipt

PS Form 3811, July 2015 PSN 7530-02-000-9053

# EXHIBIT 3

## **USPS Tracking®**

FAQs >

#### Track Another Package +

**Tracking Number:** 70191640000069874150

Remove X

Your item was delivered at 4:53 am on November 26, 2021 in WASHINGTON, DC 20530.

## **⊘** Delivered

November 26, 2021 at 4:53 am WASHINGTON, DC 20530

Feedback

#### Get Updates V

#### Text & Email Updates

**\** 

#### **Tracking History**



November 26, 2021, 4:53 am

Delivered

WASHINGTON, DC 20530

Your item was delivered at 4:53 am on November 26, 2021 in WASHINGTON, DC 20530.

November 24, 2021, 11:50 am

Available for Pickup

WASHINGTON, DC 20530

November 24, 2021, 7:08 am

Arrived at Post Office

WASHINGTON, DC 20018

November 23, 2021

In Transit to Next Facility

November 21, 2021, 5:05 am

Arrived at USPS Regional Destination Facility

WASHINGTON DC DISTRIBUTION CENTER

November 20, 2021, 7:15 am

Departed USPS Regional Facility

SEATTLE WA DISTRIBUTION CENTER

November 19, 2021, 8:19 pm

Arrived at USPS Regional Origin Facility

SEATTLE WA DISTRIBUTION CENTER

November 19, 2021, 5:09 pm

Departed Post Office

MOUNTLAKE TERRACE, WA 98043

November 19, 2021, 3:12 pm

USPS in possession of item

MOUNTLAKE TERRACE, WA 98043

**Product Information** 

V

See Less ^

### Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

**FAQs** 

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailplece, or on the front if space permits.	A. Signature X B. Received by (Printed Name)	☐ Agent ☐ Addresses C. Date of Delivery
1. Article Addressed to: Xavier Becerra, Secretary US. His Hon. Merrich Garlond	D. Is delivery address different from item 1?	
Hon, Merrich Garlond 454G/US DOS 150 Ronsylvania au, NW Washington De, 20530-000		2021